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|--|---------------------------|---|
| | | Attorney's Docket Number |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371 | | 045636-5081 |
| International Application No. | International Filing Date | U.S. Application No. Unassigned 10/509255 |
| PCT/FR03/00903 | March 21, 2003 | Priority Date Claimed March 28, 2002 |
| Title of Invention: USE OF LACTOBACILLUS FARCMINIS FOR THE PREVENTION OR TREATMENT OF DIGESTIVE PATHOLOGIES (as amended) | | |
| Applicants For EO/EO/US: Jean FIORAMONTI, Lionel BUENO, Vassilia THEODOROU and Florence LAMINE | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.
3. This express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(l).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A copy of the International Application as filed has been transmitted by the International Bureau.
7. A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
8. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)).
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
9. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
10. An oath or declaration of the inventors (35 U.S.C. § 371(c)(4)).
11. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

Items 12. to 15. below concern other document(s) or information included:

12. An Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98.
13. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. § 3.28 and § 3.31 is included.
14. A FIRST preliminary amendment.
15. A SECOND or SUBSEQUENT preliminary amendment
15. Other items or information:
Specification 20 pages of description, 1 page of claims and 8 sheets of drawings, and WO 03/082307 (Cover Sheet Only with abstract)

U.S. APPLICATION NO. | INTERNATIONAL APPLICATION NO. | ATTORNEY DOCKET NUMBER

10/509255
Unassigned

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045636-5081

16.

 The following fees are submitted:**Basic National Fee (37 C.F.R. § 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO.....\$920.00

International preliminary examination fee paid to

USPTO (37 C.F.R. § 1.482).....\$730.00

No international preliminary examination fee paid to

USPTO (37 C.F.R. § 1.482) but international search fee

paid to USPTO (37 C.F.R. § 1.445(a)(2)).....\$770.00

Neither international preliminary examination fee

(37 C.F.R. § 1.482) nor international search fee

(37 C.F.R. § 1.445(a)(2)) paid to USPTO.....\$1,080.00

International preliminary examination fee paid to USPTO

(37 C.F.R. § 1.482) and all claims satisfied provisions

of PCT Article 33(2)-(4).....\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT = \$920.00

Surcharge of \$130.00 for furnishing the oath or declaration later than

 20 30 months from the earliest claimed priority date
(37 C.F.R. § 1.492(e)).

\$

| Claims | Number Filed | Number Extra | Rate | |
|---|--------------|--------------|------------|-----------------|
| Total Claims | 13 - 20 = | 0 | X \$18.00 | \$0.00 |
| Independent Claims | 2 - 3 = | 0 | X \$86.00 | \$0.00 |
| Multiple dependent claim(s) (if applicable) | | | + \$290.00 | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | \$920.00 |
| Reduction by ½ for filing by small entity, if applicable. | | | | |
| Verified Small Entity statement must also be filed. (Note 37 C.F.R. §§ 1.9, 1.27, 1.28) | | | | -\$ |
| SUBTOTAL = | | | | \$920.00 |
| Processing fee of \$130.00 for furnishing the English translation later | | | | |
| than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)). | | | | +\$ |
| TOTAL NATIONAL FEE = | | | | \$920.00 |
| Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). | | | | |
| The Assignment must be accompanied by an appropriate cover sheet | | | | |
| (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property | | | | \$ 0.00 |
| TOTAL FEES ENCLOSED = | | | | \$920.00 |
| Amount to be refunded | | | | \$ |
| Amount to be charged | | | | \$920.00 |

- a. A check in the amount of \$____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 50-0310 in the amount of \$920.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

Customer No. 09629

SEND ALL CORRESPONDENCE TO:

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Elizabeth C. Weimar

Elizabeth C. Weimar, Reg. No. 44,478

Date: September 28, 2004